

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: June 11, 2008
POSITION: Oppose
SPONSOR: AIDS Healthcare Foundation

BILL NUMBER: AB 2899
AUTHOR: A. Portantino

BILL SUMMARY: Sexually Transmitted Diseases; HIV and AIDS

This bill would declare the Legislature's intent to increase the capacity of sites that test for human immunodeficiency virus (HIV) to screen more individuals by streamlining test site services. This bill would require the Department of Public Health (DPH) Office of AIDS (OA) to allow publicly funded HIV test sites to: (1) advise a person who has been previously tested and is practicing risk reduction measures that the person does not need further education services; (2) determine whether a person should be allowed to self-administer any data collection form required by the DPH; and (3) provide prevention education through video, small group, individual interaction, or other methods and in small groups or couples as deemed appropriate.

FISCAL SUMMARY

This bill would result in minor, absorbable costs to the OA which would be required to provide additional training for local health department (LHD) staff in developing self-administered versions of current data collection forms and in making more complex determinations regarding the self-administration of the data collection form. The OA would also incur minor, absorbable costs to develop a new reimbursement methodology for counseling services provided to couples.

COMMENTS

The Department of Finance is opposed to this bill for the following reasons:

- Creating a statutory mandate which prescribes how HIV counseling and testing (C&T) may be conducted would conflict with the OA's practice of making policy decisions based on scientific evidence. This bill would shift decision-making authority from the Office of AIDS to the testing sites and increase inconsistency in services delivered by different testing sites. Testing sites have sufficient flexibility under current law. This bill would hinder the ability of LHDs to provide direction and maintain program flexibility.
- This bill would permit OA-funded testing sites to determine who can self-administer any data collection form required by the DPH. The OA is currently piloting self-administration of some HIV testing data collection using a range of technologies from paper and pencil to handheld electronic devices. However, the OA does not anticipate that all data collection forms are appropriate for self-administration, due to a variety of factors, including the complexity of the questions asked, the literacy level and primary language of clients, and federal data requirements. This bill would allow individual sites to make decisions about the self-administration of data collection tools regardless of OA and LHD direction. It would hinder the OA's ability to standardize data collection across all of its funded sites. This standardization is essential to ensure quality data. Additionally, self-administered data collection forms usually require more time to complete by the client, and must be reviewed for completion by the site staff. This additional time may have a significant adverse impact on clinic flow.

Analyst/Principal (0553) J. Kapoor	Date	Program Budget Manager Michael Wilkening	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

BILL ANALYSIS	Form DF-43 (Rev 03/95 Buff)
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BILL ANALYSIS/ENROLLED BILL REPORT--(CONTINUED)

AUTHOR	AMENDMENT DATE
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Form DF-43
BILL NUMBER

A. Portantino

June 11, 2008

AB 2899

	SO	(Fiscal Impact by Fiscal Year)							
Code/Department	LA	(Dollars in Thousands)							
Agency or Revenue	CO	PROP							Fund
Type	RV	98	FC	2008-2009	FC	2009-2010	FC	2010-2011	Code
4265/PublicHealth	SO	No		----- See Fiscal Summary -----					0001